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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

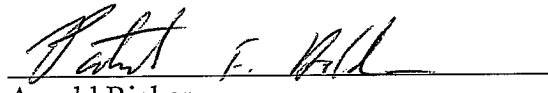
WALTER L. WAGNER, an individual,	:	
Plaintiff,	:	Case No. 2:11-cv-00784-BCW
v.	:	
PRESTON MICHIE, an individual, KENNETH	:	REQUEST TO SUBMIT FOR
FRANCIK, an individual, LESLIE COBOS, an	:	DECISION.
individual, MARK ROBINSON, an individual,	:	
ANNETE EMERSON, an individual, STEVE	:	
BRYANT, an individual, and WORLD	:	
BOTANICAL GARDENS, INC., a Nevada	:	Magistrate Paul M. Warner
corporation,	:	
Defendants.	:	

Defendant World Botanical Gardens, Inc, a Nevada corporation ("Defendant WBGI"), by and through its attorneys of record Arnold Richer and Patrick F. Holden of RICHER & OVERHOLT, P.C., and pursuant to DUCivR 7-3, submits Defendants World Botanical Gardens, Inc.'s Request to Submit for Decision.

Defendant WBGI served the Motion to Dismiss and supporting Memorandum on November 7, 2011. Plaintiff served a Opposition to Motion to Dismiss, Memorandum and Affidavit on November 10, 2011. Defendant WBGI served its Reply Memorandum on November 30, 2011. Defendant WBGI has not requested a hearing, Plaintiff has requested a hearing.

DATED this 12th day of December, 2011.

RICHER & OVERHOLT, P.C.

Handwritten signatures of Arnold Richer and Patrick F. Holden, with a horizontal line underneath.

Arnold Richer

Patrick F. Holden

Attorneys for Defendant World Botanical Gardens, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **DEFENDANT**
WORLD BOTANICAL GARDENS, INC.'S REPLY MEMORANDUM to be delivered to
the following in the manner and on the date below indicated:

- ☐ Mail
- ☐ Fax
- ☒ Email
- ☐ Hand Delivery

Walter L. Wagner
532 N 700 E
Payson, Utah 84651
retlawdad@hotmail.com
(Pro Se Plaintiff)

DATED this 12th day of December, 2011.

